

REMARKS

Claims 19, 21, 23, 24, and 33 – 38 have been examined. Claims 33 – 38 have been allowed; Claims 19, 21, 23, and 24 stand rejected under 35 U.S.C. §103(a) as unpatentable over Kenyon et al. (EP 553,539) in view of Jager et al. (Science vol 290).

Claim 21 has been canceled and its limitations incorporated into independent Claim 19. It is respectfully noted that the comments in the Office Action that Claims 21, 23, and 24 “differ from [Claim 19] in the overlying membrane” appear to be incorrect. Such a limitation was previously recited in Claim 20, which was canceled by the previous amendment. The limitation of Claim 21 that has been incorporated into Claim 19 is instead directed to introducing the volume of crystallization agent into the solution of target material by entrapping a volume of the crystallization agent proximate to the chamber, and then opening an elastomer valve positioned between the chamber and the crystallization agent to allow diffusion of crystallization agent into the chamber. Such a feature is similar to a limitation included in allowed independent Claims 33 and 34, and is not taught or suggested in combination with the other claim limitations by the cited art. It is accordingly believed that amended independent Claim 19 is also allowable, and that dependent Claims 23 and 24 are allowable by virtue of their dependence from an allowable claim.

Appl. No. 09/887,997
Amdt. dated March 10, 2005
Amendment under 37 CFR 1.116 Expedited Procedure
Examining Group 1725


PATENT

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance and an action to that end is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 303-571-4000.

Respectfully submitted,


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